

**REMARKS****I. Status of the Claims**

Claims 7-11 were allowed (Office Action mailed May 12, 2003).

Claims 1-3, 5, and 6 are amended.

Claims 4, 13-15, 22, 27-29 are canceled reserving the right to prosecute in a continuing application.

Claims 12, 16-21, and 23-26 were previously withdrawn reserving the right to prosecute in a continuing application (restriction requirement).

Claims 1-3, and 5-11 are pending.

**II. Amended Claims 1-3, 5, and 6 Overcome the 35 U.S.C. § 112 Rejections.**

Amended claims 1-3, 5, and 6 are in condition for allowance. Support for "from positions 21 to 185" in claim 2 can be found at least on page 8, lines 1-3 and on page 9, lines 5-10 of the specification.

Support for "D-amino acids" in claim 6 can be found at least on page 30, lines 1-3 of the specification. "Consisting essentially of" is in claim 6 because this is a product by process claim and the modification steps will yield a product not in the art. Please allow claims 1-3, 5, and 6.

**III. Neither Hayashizaki nor Powell or Jacobs Anticipate Claim 1.**

Amended claim 1 overcomes Hayashizaki, Powell, and Jacobs. Claim 1 is in condition for allowance.

**IV. Powell Does Not Anticipate Claim 2.**

Amended claim 2 relates to an isolated AMP-18 protein in its processed form with 165 amino acids that lacks the signal peptide. Powell neither discloses the processed form of pig AMP-18 protein nor predicts the boundaries of the processed polypeptide. Therefore, Powell does not anticipate claim 2. Please allow claim 2.

**V. Other Issues.**

A set of formal drawings was filed along with response filed September 12, 2003 to comply with the form PTO-948 requirements and was approved by the examiner in the Advisory Action mailed November 4, 2003. Original FIGS. 1 and 4 were relabeled as FIG. 1A-1G and FIG. 4A-4G respectively, in compliance with the USPTO requirements. Amendments are made to the specification to reflect the corrected labeling of FIGS. 1 and 4. Applicants request the

Serial No. 09/821,726

-6-

Atty Docket No. 21459/90913

amendments to the specification be entered.

**VI. Summary and Conclusion**

Applicants thank the examiner and his supervisor for helpful suggestions during the interview.

For the reasons stated above, applicants request allowance of all pending claims.

Please contact the applicants' representative if you have any questions.

No other fees are believed due at this time, however, please charge any additional deficiencies or credit any overpayments to deposit account number 12-0913 with reference to our attorney docket number (21459/90913).

Respectfully submitted,



Alice O. Martin  
Registration No. 35,601

November 18, 2003